

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:22-cr-20559

v.

Honorable Thomas L. Ludington
United States District Judge

NAPOLEON RILEY,

Defendant.

Honorable Patricia T. Morris
United States Magistrate Judge

/

**ORDER ADOPTING REPORT AND RECOMMENDATION AND ACCEPTING
GUILTY PLEA**

Magistrate Judge Patricia T. Morris conducted a plea hearing upon Defendant Napoleon Riley's consent. ECF Nos. 21; 23. On August 17, 2023, Judge Morris issued a report recommending the acceptance of Defendant's guilty plea without a Rule 11 plea agreement. ECF No. 26. Judge Morris gave the Parties 14 days to object, but they did not do so. They have therefore forfeited their right to appeal Judge Morris's findings that Defendant was competent to enter a plea and did so knowingly, voluntarily, and with a basis in fact. *See FED. R. CRIM. P. 11(b); Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)).

Accordingly, it is **ORDERED** that Judge Morris's Report and Recommendation, ECF No. 26, is **ADOPTED**.

Further, it is **ORDERED** that Defendant's guilty plea is **ACCEPTED**.

Dated: September 5, 2023

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge